

George E. Pataki, Governor
State of New York
Testimony before
The Commission of the National Guard and Reserves
Opening Statement
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Mr. Chairman and esteemed members of the committee:

I fully support the establishment and objectives of this Commission on the National Guard and Reserve Forces by the United States Congress. In these times of change for our nation, it is critically important that the roles and missions, capabilities, structure, training, equipping, and funding of the National Guard and Reserves be reviewed. This review, in conjunction with other proposed legislation such as The National Defense Enhancement and National Guard Empowerment Act, will help ensure that these forces are ready to respond. This is vitally important to the 54 states and territories in protecting the national security of the United States.

Since the attacks on the World Trade Center on September 11, 2001, New York State has been, and continues to be a focal point for the War on Terror. New York State is strategically located with its international border with Canada, the Great Lakes, the Atlantic Ocean and one of the largest sea points of entry in the country. In addition, New York City is the largest city in the United States with more than eight million residents and is the financial capitol of the world. It remains a highly visible target for terrorists.

At no time in America's history has the National Guard played so critical a role in both the security of our homeland and in our nation's military objectives overseas. In today's world, the notion of the traditional Citizen Soldier, training one weekend a month and two weeks a year for a war that might never occur, is a thing of the past. Our troops are actively engaged on the front lines – supporting both our State's efforts to keep New Yorkers safe at home and our nation's efforts to combat terror abroad.

On September 11 New Yorkers and all Americans quickly realized that the nation's enemies are not only willing but are able to strike us at home. In response, America's defense posture has evolved quickly to prepare for the threats faced at home, and this continued evolution must include a rethinking of the role of the National Guard and Reserves in Homeland Security.

The National Guard's dual role is vital to New York State's citizens. Our Guardsmen and women are not just part-time members of our nation's military forces. They are our state's primary emergency response force, providing support to their communities and to civil authorities and first responders throughout this state.

New York has the finest National Guard in the nation because of the tremendous and historic service rendered by Citizen Soldiers from across our state both before September 11th and after. We also have had the busiest National Guard in the nation and our Citizen Soldiers have served with honor and distinction. Brave New Yorkers continue to answer the call to duty by joining, training with their units, standing ready for the next emergency and moving out when the orders come.

Since becoming Governor, I have called on this team repeatedly for blizzards, floods, ice storms, wildfires, tornadoes, mudslides, the TWA Flight 800 disaster and the September 11th terrorist attacks on New York City. Even today, New York National Guard men and women stand guard at Grand Central and Penn Stations in Manhattan and at our nuclear power sites around the state. Our Guard men and women have brought emergency relief, protected the homeland and saved lives. And, more than 5,500 of these men and women have been mobilized for wartime duty overseas, deployed, performed brilliantly and most have come home to their families and a grateful state and nation.

All New Yorkers have come to know and rely on their National Guard as a force they can trust and depend on no matter what happens, and that is the way it should be. We, as a state and a nation, have asked much of these men and women and they have delivered for us time after time. We are extremely proud of them.

Serving in the Guard has never been easy, and in this era of the Global War on Terror and the ever-present threat of natural disasters and other emergencies, the challenges are great. This Guard team continues to perform its duty.

Recognizing the importance of New York's military forces, I proposed and signed into law a comprehensive package of benefits and protections for members of the New York National Guard. Patriot Plans I, II and III provide over thirty-five comprehensive benefits and protections to the members of the New York National Guard and their families. These benefits include various protections such as protection against discrimination based on military service, education benefits to include Military Enhanced Recognition, Incentive and Tribute Scholarships, financial benefits such as exemption from New York State Income tax for State Active Duty, professional licensing benefits, and a host of other benefits that honor the men and women serving in the New York National Guard.

I would like to focus on three critical areas I feel are most relevant for this Commission to understand in regard to the New York National Guard. These are:

- Proper Roles and Missions of the National Guard,
- Equipping the National Guard to meet its operational requirements, and
- Establishing and maintaining force structure and stabilization so the National Guard can continue to meet Homeland Security requirements.

The National Guard has been and remains a force that is best qualified for the homeland security mission. Just as our standing Active Component is best qualified to be our force of choice for rapid deployment overseas, the National Guard is best suited to be our first choice for Homeland Security. They are well integrated into our communities and positioned to respond immediately for Homeland Security missions. The Guard must be properly resourced for these increasingly important missions.

I have found the New York National Guard to be highly versatile and reliable. It responds quickly and effectively and provides the organization and discipline needed during times of emergency.

I have called out the New York National Guard in support of many varied missions, forty-nine times since 1995, with one – Task Force Empire Shield – continuing to this day. These operations have responded to natural disasters, catastrophic incidents, support to State and National Special Security Events, and Homeland Security activities. For example, these operations include:

- The devastating Ice Storm that struck the Northeast United States and Canada in 1998. In this operation, more than 4,300 New York National Guard personnel were called out to support recovery efforts utilizing almost 1,600 pieces of equipment.
- Support of search and rescue operations followed by recovery operations of the TWA Flight 800 plane crash off of the coast of Long Island in 1996. In this operation, 390 personnel of the New York National Guard were called out, utilizing 65 pieces of equipment.
- State and National Events including National Special Security Events such as the Republican National Convention in 2004. This event involved over 1,630 members of the New York National Guard in both federal and state active duty status.
- Support of operations after the attacks of September 11th, 2001, airport security and Task Force Empire Shield. In the aftermath of the terrorist attacks, more than 6,800 National Guard members served in various capacities throughout the state. In the airport security missions following September 11, more than 400 National Guard members served in airports across the state. Finally, nearly 400 soldiers continue to serve to this day in Homeland Security activities in support of Task Force Empire Shield, a New York specific operation protecting critical infrastructure throughout the state.

For the New York National Guard to have met – and to continue to be able to meet – their mission requirements, equipment posture is an important point of emphasis. The readiness and capabilities of the New York Army National Guard has been jeopardized by lack of equipment and by the continued aging of outdated equipment. The New York Army National Guard currently reports no better than 52 percent fill of critical equipment necessary for state emergencies. Of that, another 20 percent deployed and has been left in Iraq, or has been substituted by another piece of equipment lacking the full capability of the authorized equipment.

This reflects the national trend. For example, New York has only 33 percent of its authorized High Mobility Multi-purpose Wheeled Vehicle (HMMWV), a most critical piece of equipment.

The funding for equipment procurement has not been adequate in addressing equipment shortages. For years the Army National Guard has trailed well behind the Active Army when it comes to filling its equipment needs. New force design means new equipment needs. The New York Army National Guard is relying on aging, legacy equipment that is considered federally non-deployable, but somehow manages to remain part of a state response to Homeland Defense or Natural Disaster.

Timelines for replacing outdated equipment with modern versions needs to be condensed. These pieces of equipment are necessary not only for the training of our units, but are essential for Guard units to support their communities, state and nation.

The National Guard Bureau currently lacks the budgetary power to research, validate and procure necessary equipment. As such, it is strongly recommended that the National Guard Bureau be given this ability so that we are better prepared to respond to emergencies at home.

There has been no absence of support by National Guard units and soldiers in fighting the Global War on Terror. That has meant that equipment assigned to these formations has also deployed. As many know, this equipment did not return with our units as it was harvested for follow-on units. To date, there still is an ongoing effort to receive replacements for the loss of this equipment, but more importantly to receive the equipment itself to provide the units so they can adequately respond to future missions at home. The right units need the right equipment to be fully capable.

New York Army National Guard units are assigned equipment designed to support their wartime missions. This equipment has military application, but often lacks the functionality or specialization for state requirements. In reviewing roles and missions and organization and structure, it is strongly urged that this Commission consider the unique needs associated with supporting national security requirements at home and abroad.

The Guard needs to be resourced for its Homeland Defense mission in addition to its wartime equipment authorizations in order for it to properly interface with state agencies and civilian first responders. The ongoing issue of communications equipment is a case in point. The Guard's tactical radio equipment, designed for wartime operations as part of the military team, cannot interface with the equipment in use by the civilian emergency response community, the organizations the Guard will be assigned to support at home.

Additionally, there are units of the New York National Guard that have a specific Homeland Defense mission that are not fully equipped and resourced. This includes our CBRNE unit (Chemical, Biological, Radiological, Nuclear or High Yield Explosives unit), the Enhanced Response Force Package and our Civil Support Team. These units need to be fully resourced in order for them to be able to deliver maximum support when needed and as intended.

While we do need equipment critical to our wide-ranging missions, I am pleased to report that New York State has the right mix of the most crucial element to success – dedicated people. While I cannot speak on behalf of the other states and territories, it is important to note that, for the most part, the force structure of New York’s Army and Air National Guard contains the right mix of capabilities to support the needs of New Yorkers.

The recent transformation to modularity has not diminished this. Analyzing capabilities, organization, and readiness to build a force structure essential for New York while supporting the 10 National Guard “imperatives” created this right mix. These 10 imperatives include transportation, command and control, communications, engineering, logistics, force protection, maintenance, aviation, security, and medical services.

The New York Air National Guard also has the right mix in its organization and structure. New York’s Air Guard has five distinct wings and the Northeast Air Defense Sector, all of which perform a myriad of missions. Combined with their strategic geographical locations, this enables the New York Air Guard to respond to emergencies throughout the state and offer unique capabilities ideal for Homeland Security.

The 107th Air Refueling Wing is located at the Niagara Falls Air Reserve Station and performs aerial refueling missions with KC-135R aerial refueling aircraft. This base sits just miles from two of the busiest international crossings between the United States and Canada at Buffalo and Niagara Falls.

The 174th Fighter Wing is located at Hancock Air National Guard Base in Syracuse, New York and operates F-16 Falcon fighter aircraft. The 174th Fighter Wing will transition to Predator Unmanned Aerial Vehicles (UAV) in the near future.

The 109th Air Lift Wing is located at the Stratton Air National Guard Base in Scotia, New York. It operates LC-130H “Skibird” aircraft that support the National Science Foundation in conducting operations in Antarctica.

The 105th Air Lift Wing is located at the Stewart Air National Guard Base in Newburgh, New York. It is equipped with the C-5A Galaxy aircraft that support heavy lift operations. Its strategic location and existing infrastructure make it a logical choice for fielding the C-17 Globemaster aircraft in the future. The base’s proximity to New York City made it instrumental in support of the recovery operations at the World Trade Center site in New York City.

The 106th Rescue Wing is located at the Gabreski Air National Guard Base in Westhampton, New York. It is equipped with HC-130G aircraft and HH-60 helicopters to perform combat Search and rescue operations.

With regard to stability I would like to make two points.

First, I believe the second and third order of effects of reorganizations and force structure changes are underappreciated outside the National Guard and State. It is recognized that change must be made to modernize and meet our military’s war fighting requirements. However,

change within the Guard should be carefully considered and the Guard should be full partners in determining the change with regard to overall requirements.

Second, the Army's new concept for generating forces for federal duty is welcomed. The overall Army Forces Generation Model provides a more predictable training and deployment schedule for Guard Soldiers, families, employers and the communities that support them. It also provides leaders and Soldier's time, our most valuable resource, to plan and prepare for future operations. In addition, the Army Forces Generation Model provides a degree of certainty for Governors with regard to having forces at home to support Homeland Defense.

The review this Commission is conducting is all the more urgent as we continue to fight the Global War on Terror and analyze the lessons learned nearly five years after the attacks of September 11th.

The New York National Guard can support and address the State of New York's needs in Homeland Security and Homeland Defense. With outstanding men and women serving in our state's National Guard, New York has the ability to leverage its most important asset – people. In addition, the National Guard's equipment, if shortages are filled to authorized levels, offers the flexibility to respond to Homeland Security needs.

The Guard is perfectly suited to the Homeland Security mission and should be resourced accordingly. We must address critical equipment shortages for wartime and homeland security missions, as well as identify specific homeland security equipment needs. Additionally, the Guard must be given the budgetary power to research, validate and procure equipment essential to meet future mission requirements.

Finally, we must stabilize the National Guard by integrating Guard leadership into force structure planning and decision-making. This will offer some predictability in deployment cycles so that the National Guard can better serve the nation and state, and better provide for our Soldiers, their families and their employers.

As you look to the future of the National Guard, I urge you do so with an eye toward preserving the traditional dual role that has served this nation so well during some of our toughest times. I urge you to also consider and take every action necessary to protect and enhance the well being of the men and women of the Guard, and their families, who choose to serve their state and nation.

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